

IN THE SUPREME COURT OF THE STATE OF ARIZONA

In the Matter of:

AMENDING ARIZONA CODE OF
JUDICIAL ADMINISTRATION
§ 7-205: DEFENSIVE DRIVING

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Administrative Order
No. 2019 - 72
(Affecting Administrative
Order No. 2019-26)

Pursuant to the Arizona Code of Judicial Administration § 1-201(E), the Chief Justice may adopt technical changes in existing administrative code sections by administrative order without prior distribution for comment and action by the Arizona Judicial Council.

Therefore, pursuant to Article VI, Section 3, of the Arizona Constitution,

IT IS ORDERED that the amendments to ACJA § 7-205 as indicated on the attached document are adopted effective September 1, 2019. All other provisions of § 7-205 remain unchanged and in effect.

Dated this 25th day of June, 2019.

SCOTT BALES
Chief Justice

ARIZONA CODE OF JUDICIAL ADMINISTRATION

Part 7: Administrative Office of the Courts

Chapter 2: Certification and Licensing Programs

§ 7-205: Defensive Driving

A. through E. [no changes]

F. Role and Responsibilities of Certificate Holders. In addition to the requirements of ACJA § 7-201(F), each school shall:

1. through 23. [no changes]

24. Comply with the following requirements:

a. through c. [no changes]

d. Eligibility, Registration and Attendance of Students.

(1) To determine eligibility, the school shall:

(a) Pursuant to A.R.S. § 28-3392(B), only allow a person to attend a defensive driving school once within a twelve month period from the date of the last violation by querying the defensive driving database; and

(b) Verify, by reviewing the person's driver's license and citation that the violation is:

(i) an eligible moving violation as specified by A.R.S. § 28-3392(A);

(ii) permitted by the court for diversion if an eligible misdemeanor;

(iii) not a violation resulting from a collision causing the death or serious physical injury of any person as defined in A.R.S. § 28-3392(C)(1);

(iv) not a violation which occurred when the offender held a commercial driver license unless the offender was cited for operating a vehicle requiring a Class D or Class M license and the vehicle was not being used for commercial purposes;

(v) not a violation which occurred while operating a commercial motor vehicle that requires a commercial driver license; or

(vi) court ordered.

(2) through (6) [no changes]

25. through 32. [no changes]

G. through L. [no changes]